

3. Section six of the *Tuberculosis Act* 1945 is repealed and the following section inserted in its stead:—

Grants to States, and payments in respect of Territories, for benefit of sufferers.

“6.—(1.) An amount determined in accordance with this section shall be payable in every year to each State upon the condition that the amount is applied by the State during that year in making payments to or in respect of sufferers from tuberculosis, or the dependants of such sufferers, with the objects of—

- (a) encouraging such sufferers to refrain from working and to take treatment;
- (b) minimizing the spread of tuberculosis; and
- (c) promoting the better treatment of tuberculosis.

“(2.) The amounts payable to the States under this section shall be determined by the Minister, but shall not exceed in the aggregate, in any year, the sum of Two hundred and fifty thousand pounds.

“(3.) The Treasurer may pay to the Minister such amounts as are agreed upon between the Treasurer and the Minister for the purpose of the making of payments to or in respect of sufferers from tuberculosis, or the dependants of such sufferers, in the Australian Capital Territory and the Northern Territory with the same objects as are specified in this section in relation to payments by the States, and the Minister may make payments accordingly out of the sums so paid to him by the Treasurer.

“(4.) A payment received by a person out of moneys—

- (a) paid to a State or to the Minister under this section; or
- (b) provided by a State for the objects for which payments may be made by a State under this section,

shall be deemed not to be income for the purposes of the *Invalid and Old-age Pensions Act* 1908–1946, the *Widows' Pensions Act* 1942–1946 and the *Unemployment and Sickness Benefits Act* 1944.”

Payments to be made from National Welfare Fund.

4. Section seven of the *Tuberculosis Act* 1945 is amended by inserting after the word “Payments” the words “by the Commonwealth or the Treasurer”.

IMMIGRATION (GUARDIANSHIP OF CHILDREN).

No. 45 of 1946.

An Act to make provision for and in connexion with the Guardianship of certain Children from outside Australia.

[Assented to 15th August, 1946.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title.

1. This Act may be cited as the *Immigration (Guardianship of Children) Act* 1946.

2. This Act shall come into operation on a date to be fixed by Proclamation. Commencement.

3.—(1.) The National Security (Overseas Children) Regulations are repealed. Repeal.

(2.) Any person who, at the commencement of this Act, is the custodian of any child by virtue of the Regulations repealed by this section shall continue to be the custodian of that child, and the provisions of this Act shall apply as if that person had become the custodian in pursuance of this Act.

4. In this Act, unless the contrary intention appears—

Definitions.

“custodian” means a person who, by or under this Act, is the custodian of an immigrant child ;

“evacuee child” means a person under the age of twenty-one years who has, in pursuance of the arrangement made for that purpose during the year One thousand nine hundred and forty between the Government of the United Kingdom and the Government of the Commonwealth, been received into Australia for custody and care by the Government of the Commonwealth ;

“immigrant child” means—

(a) an evacuee child ; or

(b) a person under the age of twenty-one years who comes to Australia as an immigrant otherwise than in the charge of, or for the purpose of living in Australia under the care of, any parent or relative of that person.

5.—(1.) The Minister may, in relation to any matters or class of matters, or in relation to any immigrant child or class of immigrant children, by writing under his hand, delegate to any officer or authority of the Commonwealth or of any State or Territory of the Commonwealth all or any of his powers and functions under this Act (except this power of delegation) so that the delegated powers and functions may be exercised by the delegate with respect to the matters or class of matters, or the child or class of children, specified in the instrument of delegation. Delegation.

(2.) Where under this Act the exercise of any power or function by the Minister or the operation of any provision of this Act is dependent upon the opinion or state of mind of the Minister in relation to any matter, that power or function may be exercised by the delegate or that provision may operate (as the case may be) upon the opinion or state of mind of the delegate in relation to that matter.

(3.) A delegation under this section shall be revocable at will, and no delegation shall prevent the exercise of any power or function by the Minister.

6. The Minister shall be the guardian of the person of—

(a) every evacuee child ; and

(b) every immigrant child who arrives in Australia after the commencement of this Act,

Guardianship
of immigrant
children.

to the exclusion of the father and mother and every other guardian of the child, and shall have, as guardian, the same rights, powers, duties, obligations and liabilities as a natural guardian of the child would have, until the child reaches the age of twenty-one years or leaves Australia permanently, or until the provisions of this Act cease to apply to and in relation to the child, whichever first happens.

Custody of
immigrant
children.

7.—(1.) Where the Minister is satisfied that a person, representing any authority or organization approved by the Minister, who has applied to be the custodian of any immigrant children is a suitable person to be such a custodian, the Minister may place those children in the custody of that person, and that person shall thereupon become the custodian of those children.

(2.) The Minister may, at any time, if he considers it necessary so to do in the interests of an immigrant child, remove the child from the custody of his custodian and place the child in the custody of some other person, who shall thereupon be the custodian of that child.

Saving of
application of
State laws.

8. Except as prescribed, nothing in this Act shall affect the operation in relation to immigrant children of any provision of the laws of any State or Territory of the Commonwealth relating to child welfare.

Offences in
respect of
immigrant
child.

9. A person shall not, without lawful excuse (proof whereof shall lie upon him)—

- (a) remove any immigrant child, or counsel or cause any immigrant child to be withdrawn or to abscond, from the custody of his custodian; or
- (b) knowing any immigrant child to have been so removed or withdrawn or to have so absconded, harbour or conceal the child or prevent him from returning to his custodian.

Penalty : One hundred pounds or imprisonment for six months.

False
statements in
application.

10. A person shall not, in any application made for the purposes of this Act, make any statement which is false in any material particular.

Penalty : One hundred pounds or imprisonment for six months.

Minister may
exempt child
from Act

11. The Minister may, by order, direct that the provisions of this Act shall cease to apply to and in relation to any immigrant child, or to any class of immigrant children, specified in the order, and this Act shall thereupon cease to apply accordingly.

Regulations.

12. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular for—

- (a) prescribing the principles to be observed in relation to the placing of immigrant children with custodians;

- (b) regulating the placing of such children with custodians and the transfer of such children from one custodian to another ;
- (c) prescribing provisions to be observed by custodians in relation to the custody, control, welfare, care, education, training and employment of immigrant children ;
- (d) providing that any provision of the laws of any State or Territory of the Commonwealth relating to child welfare shall not apply in relation to immigrant children, and making provision in lieu of any such provision ;
- (e) regulating the return to the United Kingdom of evacuee children ; and
- (f) prescribing penalties, not exceeding Twenty pounds, for any offence against the regulations.

FORESTRY AND TIMBER BUREAU.

No. 46 of 1946.

An Act to amend the *Forestry Bureau Act 1930-1944.*

[Assented to 15th August, 1946.]

[Date of commencement, 12th September, 1946.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1.—(1.) This Act may be cited as the *Forestry and Timber Bureau Act 1946.*

Short title
and citations.

(2.) The *Forestry Bureau Act 1930-1944** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Forestry and Timber Bureau Act 1930-1946.*

2. The Principal Act is amended by omitting from the title, and from sections two and three, the words "Forestry Bureau" (wherever occurring) and inserting in their stead the words "Forestry and Timber Bureau".

References to
Forestry
Bureau.